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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MATTHEW H. ELMORE,

Plaintiff,

vs.

WORLD SAVINGS BANK, FSB *et al.*,

Defendant(s).

Case No.: 13-CV-00003 YGR

**ORDER OF DISMISSAL FOR FAILURE TO
PROSECUTE**

On March 26, 2013, the Court issued an Order regarding Plaintiff's failure to file an opposition to Defendant's motion to dismiss. (Dkt. No. 17.) The Court Ordered Plaintiff to file an opposition by April 5, 2013. Plaintiff was warned that failure to oppose the motion would result in dismissal of this action for failure to prosecute. To date, Plaintiff has failed to oppose the Motion.

Accordingly, pursuant to Federal Rule of Civil Procedure 41, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

Defendant's Motion to Dismiss (Dkt. No. 7) is **DENIED AS MOOT**.

The hearing date of April 30, 2013 is **VACATED**.

This Order Terminates Docket Number 7.

IT IS SO ORDERED.

Date: April 17, 2013



**YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE**